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09/835,079	04/13/2001	Songxiang Wei	M-11124 US	3866

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EXAMINER

ISMAL, SHAWKI SAIF

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/835,079

**Applicant(s)**

WEI, SONGXIANG

**Examiner**

Shawki S Ismail

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10-20-2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,6-10,14-18 and 22-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,6-10,14-18 and 22-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

1. This action is responsive to the amendment received on October 20, 2004. Claims 1, 9 and 17 have been amended. Claims 3-5, 11-13 and 19-21 have been cancelled. Claims 25-37 have been newly added. Claims 1, 2, 6-10, 14-18, and 22-37 are pending examination.

### ***Claim Rejections - 35 USC §102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by **Salesky, U.S. Patent No. 6,343,313.**

4. As to claim 1, Salesky teaches a method for sharing an application, the method comprising:

determining a position and a size of a shared application window by monitoring function calls made by the application (the position of a pointer icon on a conferee's view of the captured region and an icon specified by the conferee

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might be communicated to each of the other attendee and presenter clients, so that each of the participants can see what each conferee is pointing at should a conferee choose to point to an element of the shared captured region, col. 2, lines 28 – 54, Color map changes can occur on the presenter client display system as the presenter opens, makes changes in, or closes a program, either in a window that overlaps the capture rectangle or in a window beyond the capture rectangle used for his or her own private work, col. 15, line 36 – 44);

determining a position and a size of a non-shared application window by monitoring function calls made by the non-shared application (the presenter selects an area of his or her computer display to be shared ("capture region"); it need not be a rectangular area. More than one capture region may be selected at a time and multiple regions may overlap. The selection may be made on a screen display, in a memory representation of a display, or in an aliased representation of either; the selection can be changed at any time. If the client has multiple monitors or multiple displays on a single monitor, independent selection can be made for each. A window provided by the presenter client computer's operating system, or by an application or other program, may be designated as the capture region, and then the capture region can be adjusted automatically if the window is moved or resized. This may be a fixed window, or the capture operation can be set to follow the selection of the current ("top" or "focus") window automatically. In a simple embodiment, the presenter selects a rectangular region on the screen ("capture rectangle"). For efficient transmission, the capture rectangle is broken up into rectangular subregions

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(blocks) to give good perception of response time. For example, if the presenter has selected all of an 800-by-600-pixel screen display to be within the capture rectangle, then it might be broken up into twelve 200-by-200-pixel square blocks. If the capture rectangle is later adjusted to be smaller, the blocks are changed to be made up of smaller rectangles, or the capture rectangle is divided-into fewer blocks, or both; correspondingly, if the capture rectangle is later adjusted to be larger, the blocks are changed to be larger rectangles or the capture rectangle is divided into more blocks, or both. For efficient handling of blocks, the blocks are preferably kept between 1000 and 4000 pixels in size. As the blocks are updated on the attendee's screen, they are presented from the top row to the bottom row and from left to right within a row, col. 10, line 46 – col. 11, line11); and

if the non-shared application window overlaps the shared application window, determining a position and a size of an overlapping region (the position of a pointer icon on a conferee's view of the captured region and an icon specified by the conferee might be communicated to each of the other attendee and presenter clients, so that each of the participants can see what each conferee is pointing at should a conferee choose to point to an element of the shared captured region, col. 2, lines 28 – 54, Color map changes can occur on the presenter client display system as the presenter opens, makes changes in, or closes a program, either in a window that overlaps the capture rectangle or in a window beyond the capture rectangle used for his or her own private work, col. 15, line 36 – 44, These and other features apply to other data streams shared in

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the conference or in meetings where there is no shared-image data stream, abstract, col. 16, lines 16-46).

capturing a screen shot of an image corresponding to the shared application window (In a video conferencing system, a snap-shot of the conference presentation is taken at regular intervals, such as thirty times per second, col. 1, lines 18 – 34); and

transmitting the screen shot and information for the overlapping region to a viewer (In a video conferencing system, a snap-shot of the conference presentation is taken at regular intervals, such as thirty times per second, col. 1, lines 18 – 34 and the presenter selects an area of his or her computer display to be shared ("capture region"); it need not be a rectangular area. More than one capture region may be selected at a time and multiple regions may overlap col. 10, lines 46-52, col. 16, lines 16-46).

5. As to claim 2, Salesky teaches the method of claim 1 further comprising:

transmitting the position and the size of the shared application window to a viewer (Existing systems that capture graphics display commands, transmit them, then use them to recreate the original display appear to have great compression, which entails economy of network transmission, col. 10, lines, 29 – 45.)

6. As to claim 6, Salesky teaches the method of claim 1 further comprising:

determining whether the position or the size of the shared application window has changed by monitoring function calls made by the shared application (the presenter selects an area of his or her computer display to be shared

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("capture region"); it need not be a rectangular area. More than one capture region may be selected at a time and multiple regions may overlap. The selection may be made on a screen display, in a memory representation of a display, or in an aliased representation of either; the selection can be changed at any time. If the client has multiple monitors or multiple displays on a single monitor, independent selection can be made for each. A window provided by the presenter client computer's operating system, or by an application or other program, may be designated as the capture region, and then the capture region can be adjusted automatically if the window is moved or resized. This may be a fixed window, or the capture operation can be set to follow the selection of the current ("top" or "focus") window automatically. In a simple embodiment, the presenter selects a rectangular region on the screen ("capture rectangle"). For efficient transmission, the capture rectangle is broken up into rectangular subregions (blocks) to give good perception of response time. For example, if the presenter has selected all of an 800-by-600-pixel screen display to be within the capture rectangle, then it might be broken up into twelve 200-by-200-pixel square blocks. If the capture rectangle is later adjusted to be smaller, the blocks are changed to be made up of smaller rectangles, or the capture rectangle is divided into fewer blocks, or both; correspondingly, if the capture rectangle is later adjusted to be larger, the blocks are changed to be larger rectangles or the capture rectangle is divided into more blocks, or both. For efficient handling of blocks, the blocks are preferably kept between 1000 and 4000 pixels in size. As the blocks are updated on the attendee's screen, they are presented from the top

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row to the bottom row and from left to right within a row, col. 10, line 46 – col. 11, line 11); and

if the position or the size of the shared application window has changed, determining a new position and/or a new size of the shared application window (During a conferencing session, presenter client 12 takes periodic "snap-shots" of the application screen image contained within a rectangular boundary determined by the presenter, breaks the screen shot into smaller rectangular blocks, compares these blocks to information from a previous screen shot, col. 7, lines 35 – 56.)

7. As to claim 7, Salesky teaches the method of claim 1 further comprising:

periodically capturing the image corresponding to the shared application window (During a conferencing session, presenter client 12 takes periodic "snap-shots" of the application screen image contained within a rectangular boundary determined by the presenter, breaks the screen shot into smaller rectangular blocks, compares these blocks to information from a previous screen shot, col. 7, lines 35 – 56).

8. As to claim 8, Salesky teaches the method of claim 7 further comprising:

periodically transmitting the captured image to the viewer (During a conferencing session, presenter client 12 takes periodic "snap-shots" of the application screen image contained within a rectangular boundary determined by the presenter, breaks the screen shot into smaller rectangular blocks, compares these blocks to information from a previous screen shot, col. 7, lines 35 – 56).

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9. Claims 9-24 are essentially the computer-readable storage medium and system for the above-mentioned claim (claims 1) and are thus rejected under the same rationale.

10. As to claim 25, Salesky teaches a method performed on a computer for sharing an application using screen sampling, the method comprising:

receiving from a presenter a selection of a shared application (see Fig. 6a and 6b);

monitoring function calls made by the shared application to dynamically determine a position and a size of a window for the shared application (see Fig. 6a and 6b, col. 2, lines 28-54, col. 16, lines 16-46);

monitoring function calls made by a non-shared application to dynamically determine a position and a size of a window for the non-shared application (see Fig. 6a and 6b, col. 2, lines 28-54, col. 16, lines 16-46);

comparing the position and the size of the window for the shared application against the position and the size of the window for the non-shared application to determine any overlapping regions (see Fig. 6a and 6b);

capturing a screen shot of an image corresponding to the window for the shared application (col. 1, lines 18-34); and

transmitting the screen shot of the image corresponding to the window for the shared application and information for the overlapping regions to a viewer (col. 10, lines 29-52, col. 16, lines 16-46).

11. As to claim 26, Salesky teaches the method of Claim 25 further wherein:

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the transmitted screen shot of the image corresponding to the window for the shared application and information for the overlapping regions can be used to display the image to the viewer with the overlapping regions filled in with an arbitrary color (Fig. 6a and 6b, col. 15, lines 36-44, col. 16, lines 16-46).

12. As to claim 27, Salesky teaches the method of Claim 25 further comprising:

compressing the screen shot of the image corresponding to the window for the shared application (col. 2, lines 29-38).

13. As to claim 28, Salesky teaches the method of Claim 25 further comprising:

capturing a screen shot of an updated image corresponding to the window for the shared application (see Fig. 4a – 4e, col.12, lines 17-33);

transmitting the screen shot of the updated image corresponding to the window for the shared application to a viewer (col.12, lines 17-33).

14. As to claim 29, Salesky teaches the method of Claim 25 further comprising:

periodically capturing the image corresponding to the shared application window (col. 7, lines 35-56).

15. As to claim 30, Salesky teaches the method of Claim 25 further comprising:

determining whether the position or the size of either the window for the shared application or the window for the non-shared application has changed (col. 7, lines 35-42); and

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transmitting information about the change in the position or the size to a viewer (col.7, line 66 – col. 8, line 9).

16. Claims 31-36 are essentially the computer-readable storage medium for the above-mentioned claim (claims 25) and are thus rejected under the same rationale.

17. As to claim 37, Salesky teaches a data conferencing system comprising:

a presenter computer connected to one or more server computers via a global area network (see Fig. 1, presenter client computer);

a viewer computer connected to the one or more server computers via the global area computer network (see Fig. 2, attendee client computer); and

a computer program executable by the presenter computer, wherein the computer program comprises computer instructions for:

receiving from a presenter a selection of a shared application (see Fig. 6a and 6b);

monitoring function calls made by the shared application to dynamically determine a position and a size of a window for the shared application (see Fig. 6a and 6b, col. 2, lines 28-54, col. 16, lines 16-46);

monitoring function calls made by a non-shared application to dynamically determine a position and a size of a window for the non-shared application (see Fig. 6a and 6b, col. 2, lines 28-54, col. 16, lines 16-46);

comparing the position and the size of the window for the shared application against the position and the size of the window for the non-shared application to determine any overlapping regions (see Fig. 6a and 6b);

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capturing a screen shot of an image corresponding to the window for the shared application (col.1, lines 18-34); and

transmitting the screen shot of the image corresponding to the window for the shared application and information for the overlapping regions to the viewer computer (col. 10, lines 29-52).

### ***Response to Arguments***

18. Applicant's arguments have been fully considered but they are not persuasive.

In the remarks, the applicant argues in substance that Salesky does not teach or suggest determining a position and a size of an overlapping region. Nor does Salesky teach or suggest transmitting the screen shot and information for the overlapping region to a viewer.

In response, Salesky teaches an improved desktop conferencing system. The desktop conferencing system is used to display a shared collaboration among conference participants ("conferees"), with one or more individuals located at each remote site connected to the conference (col. 1, lines 49-64). The presenter chooses an area of his screen to share with the participants ("the capture region"), the area which is not selected is the non-shared region. However, there is a portion on the presenter screen that is an "overlap region." This overlap region consists of a non-selected portion of the screen, yet it is nevertheless transmitted to the participants (Fig. 6a, 6b, col. 16, lines 16-46).

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Therefore the examiner believes Salesky teaches the limitation as disclosed above.

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public

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PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail  
Patent Examiner  
March 15, 2005

  
**HOSAIN ALAM**  
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